

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	
)	Group Art Unit: 3739
Huy D. Phan, et al)	
)	Confirmation No. : 7044
Serial No.: 10/660,820)	
)	Examiner: Vrettakos, Peter J.
Filed: September 12, 2003)	
)	
For: ABLATION CATHETER WITH)	
<u>TISSUE PROTECTING ASSEMBLY</u>)	

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement, dated December 26, 2006, Applicant hereby elects to prosecute the Group I invention (claims 1-11, 13-14, and 18). In making this election, Applicant respectfully traverses this restriction requirement. In particular, while the Examiner has stated that Group I is not limited to ablative procedures, the Examiner has not shown by example that the apparatus of Group I can be used to practice another and materially different process in accordance with MPEP §806.05(e).

To the extent that the Examiner maintains that the Group I invention is not limited to ablative procedures, whereas the Group II invention is limited to ablative procedures, Applicant respectfully requests allowance of the Group II invention upon the allowance of the Group I invention.

If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

Respectfully submitted,

VISTA IP LAW GROUP LLP

Dated: January 25, 2007

By: 

Michael J. Bolan
Reg. No. 42,339

Customer No. 23410
Vista IP Law Group LLP
2040 Main Street, 9th Floor
Irvine, CA 92614